

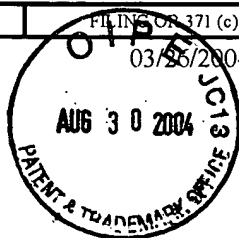


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/810,473	03/25/2004	Michael J. Berardi	60655.1400

Patrick L. Mixon  
 Snell & Wilmer L.L.P.  
 One Arizona Center  
 400 East Van Buren  
 Phoenix, AZ 85004-2202



CONFIRMATION NO. 9805

## FORMALITIES LETTER



\*OC000000013361027\*

Date Mailed: 07/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/31/2004 BSAYASI1 00000017 10810473

FILED UNDER 37 CFR 1.53(b)

01 FC:1051

130.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) 2 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of

a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

**SUMMARY OF FEES DUE:**

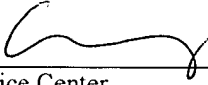
Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



# CERTIFICATE OF MAILING

I certify that this document and fee is being deposited with the U.S. Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: August 26, 2004

  
Beverly Fletcher

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant(s): **Michael J. Berardi, et al.**

Attorney Docket No.: **60655.1400**

Serial No.: **10/810,473**; Confirmation No.: **9805**

Examiner **TBA**

Date Filed: **March 26, 2004**

Group Art Unit: **2635**

Title: **SYSTEM AND METHOD FOR ENCODING INFORMATION IN  
MAGNETIC STRIPE FORMAT FOR USE IN RADIO FREQUENCY  
IDENTIFICATION TRANSACTIONS**

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

**FILED UNDER 37 CFR 1.53(b)**

**FILING DATE GRANTED**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Commissioner:

This response to the Notice to File Missing Parts of Nonprovisional Application -  
Filing Date Granted mailed on July 28, 2004.

Enclosed herewith for filing are the following:

A copy of the Notice to File Missing Parts of Nonprovisional Application -  
Filing Date Granted. **(REQUIRED)**;

Declaration

Figure 2; and

Surcharge for late filed Declaration	<u>\$130.00</u>
Total completion of application fees	\$130.00
Total fees due	\$130.00

The fee of \$130.00 is to be paid as follows:

- X A check in the amount of the fee is enclosed.
- X The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**  
A duplicate copy of this sheet is enclosed.
- X If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-2814**.  
**A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

Date: August 26, 2004

By



Patrick L. Mixon  
Reg. No. 47,801

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# CERTIFICATE OF MAILING

I certify that this document and fee is being deposited with the U.S. Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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